

STATE OF HAWAII
DEPARTMENT OF DEFENSE

TESTIMONY ON HOUSE BILL 2521 HD1
A BILL RELATING TO HAZARDS TO PROPERTY

PRESENTATION TO
THE SENATE COMMITTEE ON WAYS AND MEANS

BY

MAJ GEN DARRYLL D. M. WONG
ADJUTANT GENERAL AND DIRECTOR OF STATE CIVIL DEFENSE
March 28, 2014

Chair Ige, Vice Chair Kidani and Members of the Senate Committee on Ways and Means:

I am Major General Darryll D.M. Wong, Adjutant General and Director of State Civil Defense. I am testifying in SUPPORT of House Bill 2521 HD1.

This measure will support Act 76, enacted in the 2009 Legislature. Act 76 is now section 128-10.3, Hawaii Revised Statutes (Civil defense powers; mitigation of hazardous situations).

Mitigation projects include:

- Cutting, trimming, or removing dangerous trees or branches that pose a hazard to other properties
- Stabilizing or removing unstable rock and soil hazards
- Cleaning streams and waterways to mitigate or prevent flooding or other disasters

Since the enactment of Act 76, State Civil Defense has taken action on many mitigation situations. State Civil Defense mitigated these situations without increased personnel or dedicated resources. An appropriation will allow State Civil Defense to mitigate additional Act 76 conditions.

Thank you for the opportunity to provide testimony in **SUPPORT** of House Bill 2521 HD1.

STATE OF HAWAII
DEPARTMENT OF DEFENSE
CIVIL DEFENSE DIVISION

TESTIMONY ON HOUSE BILL 2521 HD1
A BILL RELATING TO HAZARDS TO PROPERTY

PRESENTATION TO
THE SENATE COMMITTEE ON WAYS AND MEANS

BY

DOUG MAYNE
VICE DIRECTOR OF STATE CIVIL DEFENSE

Chair Ige, Vice Chair Kidani, and the Members of the Senate Committee on Ways and Means.

I am Doug Mayne, Vice Director of State Civil Defense. I am testifying in **SUPPORT** of House Bill 2521 HD1.

This bill will support the cutting, trimming or removing of dangerous tress or branches identified under Act 76, enacted in the 2009 Legislature. Act 76 is now section 128-10.3, Hawaii Revised Statutes (Civil defense powers; mitigation of hazardous situations).

State Civil Defense has supported Act 76 related activities since its enactment in 2009 without increased personnel or dedicated funding. This appropriation will allow State Civil Defense to mitigate additional Act 76 situations.

Thank you for the opportunity to provide testimony in **SUPPORT** the intent of HB 2521 HD1.

March 26, 2014

Honorable David Ige
Chair, Senate Ways and Means Committee
Hawaii State Senate
State Capitol, Room 208
Honolulu, HI 9813

Senator Ige, Chair, Senator Kidani, Vice Chair, and Committee Members:

RE: Hearing: March 28, 2014, 9:20 a.m., Conference Room 211
House Bill 2521, HD1 Relating to Hazards to Property

I strongly support and urge that funds are appropriated to House Bill No. 2521, HD1, Relating to Hazards

to Property.

I am a homeowner with a hazardous albizia tree hovering over my home that grew another 10 feet this year; it also affects the homes above. This albizia tree is located in my neighbor's hillside property.

For years, neighbors have been unsuccessful to persuade the owner to trim the branches and tree. My family is afraid that one day a 15+ mile winds/rainstorm will cause huge branches or even the tree to fall and destroy my home. The roots from the tree is causing soil erosion and cracks in the drainage/culvert.

Current worldwide weather environmental changes, i.e., East Coast freezing conditions, vanishing , volcanic eruptions, are warning signs for the State Government to take corrective action by implementing revisions to its contingency emergency plans.

I contacted Steve Seigler of the State Civil Defense, Department of Defense, about my concerns. He inspected the tree, claimed it hazardous, and said nothing could be done. The law states that is the owner's responsibility. The Department of Defense has no funds available and would need the Governor's approval to declare it as 'emergency' to enter the property.

Senator Ige, Senator Kidani, and Committee Members, I urge you to appropriate funds to this Bill and amend HRS 128-10-3., Civil Defense Powers, Mitigation of Hazardous Situations.

Mark Kikuta
Concerned Property Owner

From: [Marv](#)
To: [WAM Testimony](#); [Sen. David Ige](#); [Sen. Michelle Kidani](#)
Subject: House Bill No. 2521, H.D. 1: Relating to Hazards to Property: E-mail testimony
Date: Wednesday, March 26, 2014 8:25:02 PM

Honorable David Ige
Chair, Committee on Ways and Means
Hawaii State Senate
State Capitol
Honolulu, HI 9813

Chair David Ige, Vice Chair Michelle N. Kidani and Committee Members:

RE: Senate Decision Making: March 28, 2014, 9:20 a.m., Conference Room 211
House Bill 2521, HD1 Relating to Hazards to Property

My name is Marvan Wakabayashi and I live in Pacific Palisades. I am in support of House Bill (H.B.) No. 2521 H.D. 1. Please accept this as my e-mail testimony. I am glad that this is being brought up since I believe my family and property are being affected by an albizia tree growing in the mini mall property adjacent to my house that overhangs into our property. The large trunk and branches creates some of these property and life threatening concerns: 1. Potential toppling of trunk and branches poses a danger to my family, grandkids and house 2. It threatens the safety of children from Palisades Elementary that use the area as a "short cut" as well as the mini mall building 3. The roots may have caused maintenance problems to the city sewer line 4. The large roots are damaging the concrete lined drainage swale 4. Leaves have clogged my gutter which require that I pay for the cleaning. The recent rain storms and exceptional high winds has increased our concerns Branches from the tree are always falling in my yard and I am worried about the safety of my children and grandchildren and my house. If they pose any kind of threat, the tree should be removed.

In February 2013 I sent a similar e-mail to Senator Clarence Nishihara pointing out the potential threat to my family and property.

On February 5, 2014, I sent a similar e-mail testimony to Representative Henry Acquino supporting House Bill No. 2521.

On February 18, 2014, I sent a similar e-mail testimony to Representative Sylvia Luke supporting House Bill No. 2521 H.D. 1.

On March 19, 2014, I sent a similar e-mail testimony to Senator Will Espero supporting House Bill No. 2521 H.D. 1

This ends my testimony on H.B. No. 2521 H.D. 1. Please feel free to contact me as follow:

Marvan Wakabayashi
2333 Aalii Pl., Pearl City
808-455-1296

Sincerely,
Marvan Wakabayashi

